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	Application No.	Applicant(s)
V Madia a S Allamatik	10/676,614	NAMAKY ET AL.
Notice of Allowability	Examiner	Art Unit
	Christine M. Behncke	3661
The MAILING DATE of this communication appearance All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communication GHTS. This application is subject to	plication. If not included
1. This communication is responsive to <u>Amendment filed 20 L</u>	December 2004.	
2. The allowed claim(s) is/are 45-67.		
3. The drawings filed on <u>01 October 2003</u> are accepted by the	e Examiner.	
 4. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 	been received.	
Copies of the certified copies of the priority do	cuments have been received in this	national stage application from the
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply IENT of this application.	complying with the requirements
5. A SUBSTITUTE OATH OR DECLARATION must be subminFORMAL PATENT APPLICATION (PTO-152) which give	itted. Note the attached EXAMINER es reason(s) why the oath or declara	'S AMENDMENT or NOTICE OF tion is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") mus		
(a) including changes required by the Notice of Draftspers		948) attached
1) hereto or 2) to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in the C	Office action of
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the	.84(c)) should be written on the drawin he header according to 37 CFR 1.121(ngs in the front (not the back) of d).
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT	sit of BIOLOGICAL MATERIAL r FOR THE DEPOSIT OF BIOLOGIC	nust be submitted. Note the AL MATERIAL.
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Attachment(s)	_	
1. Notice of References Cited (PTO-892)		atent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. 🔲 Interview Summary Paper No./Mail Dat	
 Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 	8), 7. Examiner's Amendr	
4. Examiner's Comment Regarding Requirement for Deposit	8. 🗵 Examiner's Stateme	ent of Reasons for Allowance
of Biological Material	9. ☐ Other SUPERI	THOMAS G. BLACK THOMAS G. BLACK DISORY PATENT EXAMINEF GROUP 3001

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Art Unit: 3661

DETAILED ACTION

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1. This office action is in response to the Amendment filed 20 December 2004, in which claims 45-67 were presented for examination.

Allowable Subject Matter

- 2. Claims 45-67 are allowed.
- 3. The following is an examiner's statement of reasons for allowance:

The applicant has overcome the nonstatutory double patenting rejection by the terminal disclaimer filed 20 December 2004.

Independent claim 45 is allowable because the prior art of record does not disclose, teach or suggest a vehicle off-board device to communicate with a diagnostic system of said vehicle that selects a communication protocol for communicating between the off-board device and the diagnostic system by receiving data from one module using a first communication protocol and receiving data from the same module using a second communication protocol.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine M. Behncke whose telephone number is (703) 305-0589. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03-01-2005

THOWAS G. BLALMANINGER

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